

NO. 18553

**WILLIAM R. HUSSEY,  
LETICIA McCASLAND,  
TREVOR DUPUY,  
THOMAS E. ALLEN,  
JULIE J. SCHMIDT, and  
DAVID R. HUSSEY,  
Plaintiffs**

**VS.**

**LLANO INDEPENDENT SCHOOL  
DISTRICT,  
Defendant**

**மாண்புமிகு பேரவைத் தலைவர்:**

## IN THE DISTRICT COURT

### 33RD JUDICIAL DISTRICT

LLANO COUNTY, TEXAS

**JOYCE GILLOW**  
CLERK DISTRICT COURT, LLANO COUNTY, TEXAS

FILED

AUG 09 2013

AT 11:27 O'CLOCK A M  
BY Asst. Supt. [Signature] DEPUTY

**ORIGINAL PETITION FOR DECLARATORY JUDGMENT,  
APPLICATION FOR TEMPORARY RESTRAINING ORDER, and  
APPLICATION FOR TEMPORARY INJUNCTION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES** William R. Hussey, Leticia McCasland, Trevor Dupuy, Thomas E. Allen, Julie J. Schmidt, and David R. Hussey, Plaintiffs herein, filing this Petition for Declaratory Judgment, Application for Temporary Restraining Order, and Application for Temporary Injunction, pursuant to the Texas Uniform Declaratory Judgments Act, Chapter 37 of the Texas Civil Practice and Remedies Code, and would show the Court the following:

## I. DISCOVERY CONTROL PLAN LEVEL

Plaintiffs intend that discovery be conducted under Discovery Level 2.

## II. PARTIES AND SERVICE

- A. Plaintiff, William R. Hussey is a resident of Llano County, Texas, as well as a taxpayer residing within the boundaries of the Llano Independent School District.
- B. Plaintiff, Leticia McCasland is a resident of Llano County, Texas, as well as a

taxpayer residing within the boundaries of the Llano Independent School District.

- C. Plaintiff, Trevor Dupuy is a resident of Llano County, Texas, as well as a taxpayer residing within the boundaries of the Llano Independent School District.
- D. Plaintiff, Thomas E. Allen is a resident of Llano County, Texas, as well as a taxpayer residing within the boundaries of the Llano Independent School District.
- E. Plaintiff, Julie J. Schmidt is a resident of Llano County, Texas, as well as a taxpayer residing within the boundaries of the Llano Independent School District.
- F. Plaintiff, David R. Hussey is a resident of Llano County, Texas, as well as a taxpayer residing within the boundaries of the Llano Independent School District.
- G. Plaintiffs, Leticia McCasland and Julie J. Schmidt are parents of children enrolled in Llano Independent School District.
- H. Defendant, Llano Independent School District may be served with process by serving Mr. Casey Callahan, its Superintendent, at 1400 Oatman St., Llano, Texas 78643.

### **III. JURISDICTION AND VENUE**

Jurisdiction and Venue are proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because the events or omissions giving rise to this lawsuit occurred in Llano County, Texas.

### **IV. FACTS**

- A. Defendant, Llano Independent School District utilized the CSCOE curriculum management system for the 2012-2013 school year, as well as in several previous school years.
- B. According to the FAQ page from the CSCOE website, as of June 1, 2013, (a copy

of which is attached as **EXHIBIT A** to this pleading and is incorporated herein for all purposes):

"CSCOPE is a comprehensive online curriculum management system developed and owned by the Texas Education Service Center Curriculum Collaborative (TESCCC), a consortium composed of the 20 ESCs in the state. The CSCOPE system includes a curriculum framework for grades K-12 in all foundational academic subject areas aligned to the Texas Essential Knowledge and Skills."

C. SB 1406 was introduced during the 83<sup>rd</sup> Session of the Texas Legislature.

According to the House Research Bill Analysis dated May 20, 2013, a copy of which is attached as **EXHIBIT B** to this pleading and is incorporated herein for all purposes), the Subject of SB 1406 was identified as being "**State Board of Education oversight of CSCOPE.**"

D. SB 1406 received a vote of two-thirds of all the members elected to each house. As provided by Section 39, Article III of the Texas Constitution, SB 1406 became effective upon its signing by Governor Perry on June 14, 2013.

E. Consequently, Section 8.0531 became part of the Texas Education Code on June 14, 2013. This statute reads as follows:

**INSTRUCTIONAL MATERIALS DEVELOPED BY A COLLABORATION OF REGIONAL EDUCATION SERVICE CENTERS.**

Notwithstanding any other provision of this subchapter or Section 8.001(c), instructional lessons developed as part of a curriculum management system by a regional education service center, acting alone or in collaboration with one or more other regional education service centers, shall be subject to the same review and adoption process as outlined in Section 31.022.

*(Section 31.022 refers to the review and adoption process by the State Board of Education.)*

F. To date, the State Board of Education has neither reviewed nor adopted CSCOPE instructional lessons.

G. In the June 19, 2013 edition of the *Llano County Journal*, Superintendent Casey

Callahan of the Llano Independent School District stated that teachers, "if they feel it is the best tool out there," would be allowed to continue using CSCOPE lesson plans. (A copy of the June 19, 2013 *Llano County Journal* article is attached as **EXHIBIT C** to this pleading and is incorporated herein for all purposes.)

H. Plaintiffs requested that undersigned counsel contact Superintendent Casey Callahan to inquire for proof that the Llano Independent School District has complied with Section 8.0531 of the Texas Education Code. As a result, a letter dated July 11, 2013 was faxed from undersigned counsel to Superintendent Callahan, and copies were provided to the Trustees of the School Board. (A copy of the July 11, 2013 letter is attached as **EXHIBIT D** to this pleading and is incorporated herein for all purposes.)

I. Superintendent Callahan responded by telephone to the July 11, 2013 letter; however, he politely reiterated his intent to allow Llano Independent School District teachers to utilize CSCOPE lesson plans as they see fit.

J. The July 31, 2013 edition of the *Llano County Journal* reported on the July 29, 2013 meeting of the Llano School Board. According to the article, Superintendent Callahan "announced the disbandment of the CSCOPE Curriculum Review Committee, which had met several times this year to discuss how the curriculum was being used and then potentially make recommendations to the board." Superintendent Callahan, according to the article, "said the committee's objectives were rendered mute <sic> after state Sen. Dan Patrick announced in May that all CSCOPE lesson plans would be scrapped by Aug. 31 of this year." The article continued, "He also said they would allow teachers to use existing lessons plans, as

well as any other tools available, but added they will monitor the situation closely.” (A copy of the July 31, 2013 *Llano County Journal* article is attached as **EXHIBIT E** to this pleading and is incorporated herein for all purposes.)

- K. On August 8, 2013, undersigned counsel attempted to avoid the necessity of this litigation by speaking with Superintendent Callahan; however, Superintendent Callahan politely declined to forbid the use of CSCOPE lesson plans by the Llano Independent School District.

#### **V. REQUEST FOR A TEMPORARY RESTRAINING ORDER and TEMPORARY INJUNCTION**

In light of the above-described facts, Plaintiffs seek recovery from Defendant.

- A. Plaintiffs are likely to succeed on the merits of this lawsuit because:

1. CSCOPE instructional lessons are clearly subject to Section 8.0531 of the Texas Education Code; and,
2. The State Board of Education has not approved CSCOPE instructional lessons pursuant to Section 31.022 of the Texas Education Code.

- B. Unless this Honorable Court immediately restrains the Defendant, the Plaintiffs will suffer immediate and irreparable injury, for which there is no adequate remedy at law to give Plaintiffs complete, final and equal relief. More specifically, Plaintiffs will show the court the following:

1. The 2013-2014 school year will commence later this month;
2. Given the stated position of its Superintendent, the Llano Independent School District will allow its teachers and staff to continue to use CSCOPE lesson plans, in violation of the Texas Education Code;

3. This imminent harm will cause Plaintiffs irreparable injury in that children will be exposed to CSCOPE lesson plans, in violation of the Texas Education Code; and,
  4. There is no adequate remedy at law which will give Plaintiffs complete, final and equal relief because of the commencement of the school year is approaching, and the Defendant will not voluntarily comply with the Texas Education Code regarding CSCOPE lesson plans.
- C. Plaintiffs request that Defendant be temporarily restrained immediately, without hearing, and after notice and hearing, be temporarily enjoined, pending further order of this Court, from:

Allowing its employees, including but not limited to teaching staff, to utilize CSCOPE lesson plans until such time as said instructional lessons have been approved pursuant to Section 31.022 of the Texas Education Code.

## **VI. BOND**

- A. Plaintiffs are willing to post a reasonable temporary restraining order bond and requests the Court to set such bond.

## **VII. REQUEST FOR DECLARATORY JUDGMENT**

There exists a genuine controversy between the parties herein that would be terminated by the granting of declaratory judgment. Plaintiff therefore requests that declaratory judgment be entered as follows:

- A. CSCOPE lesson plans shall not be used by Llano Independent School District without approval pursuant to Section 31.022 of the Texas Education Code.

### **VIII. ATTORNEY'S FEES**

Pursuant to Section 37.009 of the Texas Civil Practice and Remedies Code, Plaintiffs are entitled to all costs, as well as reasonable and necessary attorney's fees incurred by Plaintiffs herein; however, undersigned counsel is working on this case *pro bono publico*. Consequently, for trial, Plaintiffs ask only for their court costs. Plaintiffs ask for all fees and costs necessary in the event of an appeal of this cause to the Court of Appeals and the Supreme Court of Texas, as the Court deems equitable and just.

### **PRAYER**

**WHEREFORE, PREMISES CONSIDERED**, Plaintiffs pray that Defendant be cited to appear and answer herein.

Plaintiffs pray that the Court immediately grant a Temporary Restraining Order restraining Defendant, in conformity with the allegations of this petition, from the acts set forth above, and Plaintiffs pray that, after notice and hearing, this Temporary Restraining Order be made a Temporary Injunction.

Plaintiffs pray that on final trial hereof declaratory judgment be granted as requested herein and Plaintiffs be awarded costs and reasonable and necessary attorney's fees, and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

Tim Cowart  
Attorney at Law  
P.O. Box 888  
Llano, Texas 78643  
Phone: (325) 247-5486  
Fax: (866) 418-4160

By: \_\_\_\_\_

Tim Cowart  
State Bar No. 24001932  
Attorney for Plaintiffs

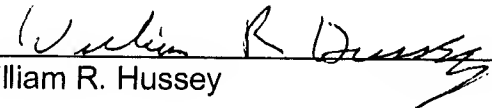
**VERIFICATION**

**STATE OF TEXAS**

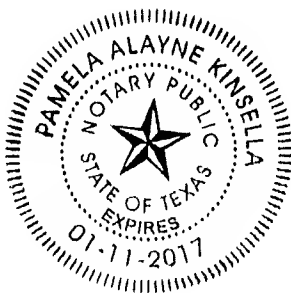
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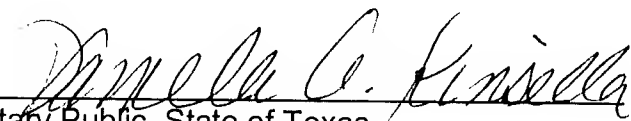
**COUNTY OF LLANO**

BEFORE ME, the undersigned authority, personally appeared William R. Hussey, who, on oath, stated that the statements made in the foregoing Application for Temporary Restraining Order and Temporary Injunction are true and correct.

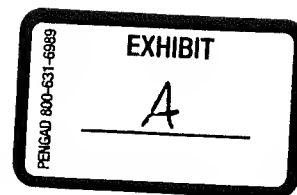
  
William R. Hussey

SUBSCRIBED AND SWORN TO BEFORE ME on this the 8<sup>TH</sup> day of August 2013, to certify which witness my hand and seal of office.



  
Notary Public, State of Texas



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## CSCOPE FAQ

Below is a list of frequently asked questions about CSCOPE and its governing body, the Texas Education Service Center Curriculum Collaborative (TESCCC). These FAQ items are meant to address some of the primary questions about CSCOPE and the TESCCC, and more may be added in the future. For additional questions on CSCOPE licensing and support, as well as more region-specific questions, please use the contact list provided at: [http://www.cscope.us/region\\_contacts.html](http://www.cscope.us/region_contacts.html)

**Note:** School districts, charter systems, and/or private schools are collectively referred to as "school districts" throughout this FAQ.

Updated January 11, 2013

### **What is CSCOPE?**

CSCOPE is a comprehensive online curriculum management system developed and owned by the Texas Education Service Center Curriculum Collaborative (TESCCC), a consortium composed of the 20 ESCs in the state. The CSCOPE system includes a curriculum framework for grades K-12 in all foundational academic subject areas aligned to the Texas Essential Knowledge and Skills. CSCOPE content is regularly updated based on all SBOE-adopted changes in the TEKS, as well as any relevant changes/interpretations of state standards and from feedback collected through various stakeholder groups in the collaborative, including individual teacher submissions through the CSCOPE website and the School District Advisory Committee, comprised of district representatives from all participating regions of the state. Participating school districts may also use the online CSCOPE system to customize and/or create content, as well as providing for the inclusion of locally approved or adopted supplemental resources.

CSCOPE provides districts a common language, structure, and process for curriculum delivery, based on the TEKS. Curriculum components highlight the content and cognitive rigor of each student expectation that will be assessed on STAAR and ensure teachers are informed of the depth and complexity to which they should be teaching. In addition to quality curriculum components and resources, CSCOPE provides assessment and instructional components to assist teachers in meeting the highest standard of rigor and relevance as they address the TEKS/STAAR expectations. Required English Language Proficiency Standards (ELPS) and College and Career Readiness Standards are embedded into the curriculum as well.

The curriculum and instructional components of CSCOPE are based on best practice models from top researchers in the field of education, including: Robert Marzano, Fenwick English, John Crain, Heidi Hayes Jacobs, Grant Wiggins, Jay McTighe, H. Lynn Erickson, and James Barutaldi.

### **How long has CSCOPE been around and how many school districts are involved?**

Initial CSCOPE development began during the 2005-06 school year, with the 2006-07 school year designated as the first year of implementation. In 2006-07, there were 182 active CSCOPE districts in Texas. As of September 25, 2012, there are 875 active CSCOPE districts. This equates to approximately 70% of the districts in Texas.

\*According to AskTED, as of October 23, 2012, there were 1,247 districts in Texas (the full list includes Common, Independent, Texas Youth Commission, TSO/TSBVI, and Charter School Districts). [http://mansfield.tea.state.tx.us/TEA\\_AskTED/Web/Forms/ReportSelection.aspx](http://mansfield.tea.state.tx.us/TEA_AskTED/Web/Forms/ReportSelection.aspx)

### **What is included in a contract for CSCOPE system access and support?**

**Support:** each member-ESC provides standard and/or customizable plans of support for participating school districts. CSCOPE is most effective when implemented as a systemic process; therefore, supporting service centers work with schools to develop a deep understanding of CSCOPE design and assist districts in establishing an implementation plan that best meets the needs of each participating school district/system. During implementation, ESC staff provides ongoing CSCOPE training, support, and technical assistance.

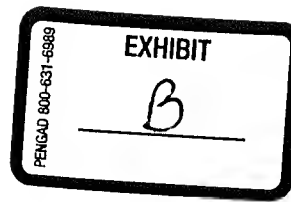
**Content:** CSCOPE provides TEKS-aligned and updated K-12 curriculum, assessment, and instruction components for English and Spanish Language Arts, Mathematics, Science, and Social Studies (foundation curriculum). The CSCOPE system, including all content, is delivered to participating school districts in a web-based format, which also allows districts to customize content to address the unique district and community expectations and priorities. Please visit <http://www.cscope.us/curriculum.html> to learn more about CSCOPE content and components.

### **Why is CSCOPE used by so many Texas school districts, open enrollment charter schools, and private schools?**

Implemented with the guidance and support of member-ESCs, CSCOPE helps school districts meet the expectations of ever-changing state-mandated standards (TEKS), a more rigorous state testing and accountability system (STAAR/EOC), and improving student performance, while faced with shrinking financial resources.

Most school districts/systems do not have the human and financial resources (or the time) to create a vertically aligned K-12 curriculum, along with assessment and instructional components for all of the foundational subject areas. CSCOPE not only meets this need, but also provides the curriculum, assessment, and instructional components in a customizable, dynamic, web-based format with many different tools and resources to support implementation efforts. Delivered with an ongoing system of support and professional development through a member-ESC, it is no wonder that CSCOPE is an attractive option for schools in Texas.

What CSCOPE has done for the teachers of Texas is to map out the curriculum, providing a scope and sequence that guarantees all TEKS will be taught. It also provides clarification/specificity not found in reading the TEKS in isolation. Educational researchers sometimes refer to this specificity as "unpacking the standards," or clarifying the content and cognitive specificity of the knowledge and skills statements and student expectations. This is where we find the rigor and relevance of the TEKS, which is critical in preparing for STAAR. As part of this curriculum design, CSCOPE maps standards, clarifies the content, and identifies the level of complexity of the verbs in the context of the Texas Essential Knowledge and Skills statements and the student expectations.



HOUSE  
RESEARCH  
ORGANIZATION bill analysis

5/20/2013

SB 1406  
Patrick, ct al.  
(Toth)

SUBJECT: State Board of Education oversight of CSCOPE

COMMITTEE: Public Education — favorable, without amendment

VOTE: 7 ayes — Aycock, J. Davis, Deshotel, Farney, Huberty, K. King, Ratliff  
4 nays — Allen, Dutton, J. Rodriguez, Villarreal

SENATE VOTE: On final passage, April 15 — 29-1 (Zaffirini)

WITNESSES: *(Public hearing, April 30:)*  
For — Dorothy Dundas; Neal Frey; Barry Haenisch, Texas Association of Community Schools; Bob Hall; Stanley Hartzler; Ann Hettinger, Concerned Women for America; Jonathan Saenz, Texas Values; Peggy Venable, Americans for Prosperity-Texas; *(Registered, but did not testify: Gary Bennett and Lukas Moffett, Center for the Preservation of American Ideals; MerryLynn Gerstenschlager, Texas Eagle Forum; Dustin Matocha, Texans for Fiscal Responsibility; Kia Mutranowski, Michelle Smith, and Cecilia Wood, Concerned Women for America; Sharon Russell, ICaucus; and 33 individuals)*  
  
Against — Katherine Miller, Texas Freedom Network; Randy Willis, Granger ISD; *(Registered, but did not testify: David D. Anderson, Texas School Alliance; Yannis Banks, Texas NAACP; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Kay Forth, American Civil Liberties Union)*  
  
On — Monty Exter, The Association of Texas Professional Educators; *(Registered, but did not testify: David Anderson, Texas Education Agency; Jerry Maze, ESC 12/CSCOPE; Mike Motheral, Sundown ISD; Terry Smith, Education Service Centers)*

BACKGROUND: CSCOPE is an online curriculum management system developed and owned by the Texas Education Service Center Curriculum Collaborative, a consortium of the 20 Education Service Centers (ESC) in the state organized as a 501(c) (3). The CSCOPE system includes a curriculum framework for grades K-12 in all foundational academic subject areas aligned to the Texas Essential Knowledge and Skills (TEKS), the state's

public education curriculum.

Initial CSCOPE development began during the 2005-06 school year, with the 2006-07 school year designated as the first year of implementation. In 2006-07, there were 182 active CSCOPE districts in Texas. As of September 25, 2012, there are 875 active CSCOPE districts. This equates to about 70 percent of districts in Texas and about 35 percent of students.

Education Code, sec. 31.022, requires the State Board of Education (SBOE) to adopt a review-and-adoption cycle for instructional materials for each subject in the required curriculum for elementary grade levels, including prekindergarten, and secondary grade levels.

**DIGEST:**

SB 1406 would require instructional materials developed by a regional ESC, acting alone or in collaboration with other ESCs, to be subject to the review-and-adoption process for instructional materials outlined in Education Code, sec. 31.022.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS  
SAY:**

SB 1406 would bring much-needed SBOE review of CSCOPE, an online system of lesson plans that was developed by the regional ESCs with no oversight, transparency, or accountability. The bill would not remove CSCOPE from districts that are using it but simply would bring the lesson plans under the same vetting process that the elected SBOE uses for textbooks and instructional materials.

CSCOPE content was developed without parental input. In fact, parents have had to fight to learn the content of CSCOPE because teachers had been required to sign a contract not to disclose the content. This conflicts with Education Code, sec. 26.006, which assures parents the right to review teaching materials, instructional materials, and other teaching aids.

If local districts need online lesson plans, they could use the services of the Texas Virtual School Network or other online curriculum approved by the Texas Education Agency, rather than CSCOPE.

CSCOPE has supplied lesson plans that are flawed, incorrect, and raise concerns about promoting socialist, anti-American, and anti-Christian

values. Some teachers say it limits their flexibility and creativity. CSCOPE is supposed to be customizable by local districts, but some teachers say they are required to use it verbatim.

Another concern is that the ESC collaborative used public funds to develop a product, then turned around and sold it to Texas schools. This means Texans' tax dollars are being spent twice for CSCOPE..

Although CSCOPE officials recently have made a good faith effort to make their work more transparent, the requirement for SBOE review needs to be codified. CSCOPE officials have revised a user agreement to reassure teachers that they may share instructional materials with parents and in late March began a joint review of the social studies materials with the SBOE. However, this bill would ensure the transparency and public hearings provided by the SBOE's review process. In the past, the SBOE process has prevented textbook publishers from removing lessons about religious holidays such as Christmas and Rosh Hashanah and about famous Americans such as Neil Armstrong and General Patton.

CSCOPE should remove itself from supplying lesson plans to school districts and return to its original mission of supplying a management tool for teachers to keep on pace to teach the TEKS as required.

OPPONENTS  
SAY:

SB 1406 could remove an important tool that helps school districts meet the expectations of ever-changing TEKS, of a more rigorous state testing and accountability system, and of efforts to improve student performance, all while faced with shrinking financial resources.

CSCOPE was developed by teachers and retired teachers to meet the needs of many school districts that cannot afford their own curriculum development staff. One superintendent testified that it would cost his small school district more than \$950,000 to develop lesson plans to cover 1,342 TEKS standards for grades 3-11.

The bill would be a gross infringement on local authority. Parents have every right to raise issues about the way lessons are being taught, but those matters should be brought before local school boards and district officials. The bill would establish two classes of school districts, allowing those that can afford to develop their own lesson plans to be free from SBOE review.

An advantage of CSCOPE is that it can be updated every year in response

to feedback from districts. That adaptability would be difficult to achieve under the cumbersome and lengthy SBOE textbook review process. Provisions in Education Code, sec. 31.022 state that the SBOE is not required to review and adopt instructional materials for all grade levels in a single year; they require the SBOE to organize a cycle for reviewing not more than one-quarter of the instructional materials for subjects in the foundation curriculum each biennium.

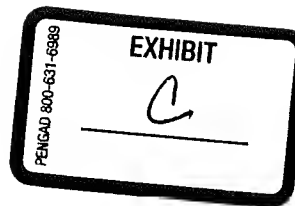
It is inappropriate to review CSCOPE to see whether it supports or conflicts with specific political ideologies or religious beliefs. Students should receive the tools to evaluate the vast array of information and viewpoints they will encounter in life. Some supporters of SB 1406 have criticized CSCOPE as pro-Islam, but state education standards require students to study the central ideas of the world's major religions. And the SBOE has come under scrutiny in the past for its partisan debates over textbook language on topics such as evolution, environmental regulation, social studies, and sex education.

The SBOE has appointed a committee to review the curriculum, beginning with social studies content. That process should be allowed to work before it is codified.

OTHER  
OPPONENTS  
SAY:

SB 1406 would fail to address the fundamental problem of the TEKS. They are far too voluminous and require the sort of framework provided by CSCOPE. For a typical core subject in high school, more than 60 standards must be taught in fewer than 148 days.

The SBOE should be reviewing the TEKS and reducing the massive amount of material that students are expected to learn.



## Obituaries



NCE REAVES/STAFF

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LISD will allow  
CSCOPE lessons

FROM STAFF REPORTS

While controversial CSCOPE lesson plans will not be renewed in Texas schools, questions still remain about how existing documents will be used moving forward.

Teachers in the Llano Independent School District will continue to use the plans if they find it necessary, according to Llano ISD Assistant Superintendent Casey Callahan.

"If they feel it is the best tool out there, we will continue allowing it," he said. Callahan will become the new LISD superintendent in July.

The decision to use these existing lesson plans is up to the teachers, Callahan said. He added the district would also continue using the scoping sequence until a better alternative is found.

The controversial CSCOPE lesson plans were brought to an end last month after pressure from Republican legislators and supporters, particularly members of the

Tea Party.

As part of the agreement with the legislature, all lesson plans will be removed from the TESCCC website Aug. 31.

The cooperative has agreed not to develop any other lesson plans but will continue to create guidelines.

"The CSCOPE lesson plans were being provided to school districts on an annual contract basis. Considering the amount of lesson plan content readily available to teachers, continuing to use CSCOPE lessons is not necessary and prohibited by the terms of the CSCOPE contract," state Sen. Dan Patrick, R-Houston, said June 6, responding to questions from a newspaper reporter.

The search for a new curriculum is still ongoing, Callahan said, and the district is leaving no stone unturned.

"We're constantly reviewing our options and looking at everything we can to make sure we have the best," he said.

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Bill Wooten, Agent

Elaine Schuessler, Agent

Shane Lynch, Agent

# TIM COWART



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LLANO, TEXAS 78643

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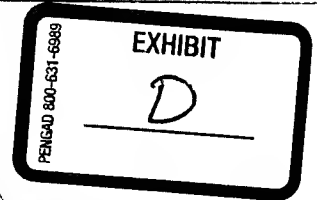
119 AVENUE G

MARBLE FALLS, TEXAS 78654

(830) 798-1063 FAX: (866) 418-4160

ATTORNEY AT LAW

July 11, 2013



VIA FACSIMILE (325) 247-5623

Superintendent Casey Callahan  
Llano Independent School District  
1400 Oatman Street  
Llano, Texas 78643

Re: Future Use of CSCOE Lesson Plans in Llano ISD

Dear Mr. Callahan:

Please be advised that I represent some citizens who are taxpayers and parents of students enrolled in Llano ISD. My clients have asked that I send this letter in an effort to ensure compliance with the law, and as an attempt to avoid unnecessary litigation.

It is our understanding that, on Page 7A of the June 19, 2013 edition of the *Llano County Journal*, you were quoted as stating that teachers, "if they feel it is the best tool out there," would be allowed to continue using CSCOE lesson plans. The *Llano County Journal* article goes on to say that you "added the district would also continue using the scoping sequence until a better alternative is found."

As you may be aware, Section 8.0531 of the Texas Education Code became effective on June 14, 2013. This statute states as follows:

Notwithstanding any other provision of this subchapter or Section 8.001(c), instructional lessons **developed** (emphasis added) as part of a curriculum management system by a regional education service center, acting alone or in collaboration with one or more other regional education service centers, shall be subject to the same review and adoption process as outlined in Section 31.022. (Section 31.022 refers to the review and adoption process by the State Board of Education.)

Please accept this letter as a request that, on or before 5:00 p.m. on July 17, 2013, you provide my office with proof that Llano ISD has complied with Section 8.0531 of the Texas Education Code, specifically as it pertains to CSCOPE.

Thank you in advance for your attention and consideration.

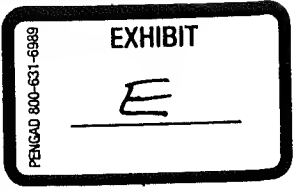
Sincerely yours,

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line and a small flourish.

Tim Cowart

cc: Clients;  
Hon. Steve Haverlah, Trustee, Place 1;  
Hon. Cody Fly, Trustee, Place 2;  
Hon. Donna Kaszynski, Trustee, Place 3;  
Hon. John Buttery, Trustee, Place 4;  
Hon. Ron Cunningham, Trustee, Place 5;  
Hon. Lyn Jenkins, Trustee, Place 6;  
Hon. Ronnie Rudd, Trustee, Place 7





06869-129-008 07/31/13

Wednesday, July 31, 2013

Llano County Journal

Page 2A

## Education

# Llano ISD school board preps for new year

By LANCE REAVES  
HIGHLAND LAKES NEWSPAPERS

The Llano Independent School District Board of Trustees on Monday night approved an interlocal agreement with the city and county of Llano for drugdog services and accepted various policies for the upcoming school year.

As part of the agreement, the city and county will provide the district at no cost with the services of law enforcement personnel, accompanied by trained drug detection canines, to sweep the school campuses in an

effort to help deter actual and potential drug activity.

Llano ISD Superintendent Casey Callahan explained these drug sweeps would occur at the district's request, rather than unannounced as they did before.

"This allows us to pick up the phone and call them if we catch wind of something," he said.

The city and county must adhere to district's search and seizure laws, Callahan said, which means the dogs can search common school areas such as lockers, desks and parking

lots, but they cannot sniff a student's person.

Llano City Council approved its end of the agreement on July 1.

In other action, board members approved limiting the amount of student information the district must give out as directory information, such as requests by certain organizations for names, phone numbers and addresses.

Board member Lyn Jenkins asked if parents could simply prohibit their child's information from appearing in the directory. Callahan said they

could, but doing so would also prevent them from appearing in other directories like the yearbook and sports programs.

"There has to be some give and take here," Callahan said.

The board also approved the 2013-2014 Student Code of Conduct as well as the Student Handbook.

David Whetst, assistant principal at Llano High School, addressed the board with some of the changes to the Student Code of Conduct, many of which he said were simply in the code's language.

"It promotes a safe, secure learning environment for all our students," Whetst said. The code of conduct affects all four campuses in Llano ISD.

In addition, Callahan announced the disbandment of the CSCOPE Curriculum Review Committee, which had met several times this year to discuss how the curriculum was being used and then potentially make recommendations to the board.

However, Callahan said the committee's objectives were rendered mute after state Sen. Dan Patrick announced in May that all CSCOPE lesson plans would be scrapped by Aug. 31 of this year.

The superintendent did say they would continue using the scoping sequence, although at "a considerable reduction of cost." He also said they would allow teachers to use existing lessons plans, as well as any other tools available, but added they will monitor the situation closely.

"This has offered us more flexibility," Callahan said, "but with greater flexibility, there is also greater responsibility."

## Dual credit available

Llano High School College Algebra class students registered to take dual credit courses with Central Texas College this fall will need to come to the high school library between noon and 1:20 p.m. to write their Scottsdale

## Faith makes preps for new school year

By Emily Zenor  
HIGHLAND LAKES NEWSPAPERS

school and middle school levels and around 15 with the possibility of up to 20 in the district's

## 16 new faculty members for LISD

From Staff Reports  
The Llano Independent School District Board of Trustees on Monday night

me Brown—PE/Girls' Assistant coach; Jodye Smith—counselor; and Robert J. Smith—eighth grade